ATTORNEYS—SUSPENSION—WHAT CONSTITUTES CONTEMPT.—In a case where two partners had been suspended from practice "in all the courts of this state" for one year, information was filed showing that during the period of suspension the former attorneys had maintained their offices as usual, that no change had been made in the signs on the doors or windows, that stationery had been used with the names of the partners printed thereon as Attorneys at Law, that their names were found with the same designation in the telephone book and the directory, and that the defendants had engaged in minor forms of practice, none of which practice, however, was denied to a layman. *Held,* the acts constituted contempt of court. *State* v. *Marron*; *State* v. *Wood* (N. Mex. 1917) 167 Pac. 9.

The word "attorney" in its generally accepted meaning is used to designate an officer of the court, see *People* v. *Erbaugh* (1908) 42 Colo. 480, 94 Pac. 349; *Danforth* v. *Egan* (1909) 23 S. D. 43, 50, 119 N. W. 1021, "set apart by the law, to expound, to all persons who seek him, the law of the land, relating to high interests of property, liberty, and life". See *Planters' Bank* v. *Hornberger* (1867) 44 Tenn. 531, 571. It seems clear, therefore, that the use of the term should be restricted within narrow limits and should be used only in connection with the name of a person who is possessed of an existing valid license to practice law. The purpose of the requirement of a license is to guard the administration of justice and thus to protect the public from the acts of persons not qualified either educationally or morally to practice. For the same purpose and as a necessary complement to the issuing of the license is the court process of suspension or disbarment; see *In re Thatcher* (D. C. 1911) 190 Fed. 969, 976 *et seq.*; *Ex parte Wall* (1882) 107 U. S. 265, 288, 2 Sup. Ct. 569; *Matter of Boland* (N. Y. 1908) 127 App. Div. 746, 752, 111 N. Y. Supp. 932; the punishment of the attorney is merely incidental to the real object of the decree. In view of the fact that probably the greater part of law practice has no direct connection with the courts, see *In re Duncan* (1909) 83 S. C. 186, 65 S. E. 210, it would seem that to allow a disbarred or suspended attorney to continue to hold himself out as an "attorney at law" and to do business not involving court proceedings would not only defeat the purpose of the decree but would hold the court up to contempt and ridicule in the eyes of the profession and of the general public. The argument as applied in the instant case that an attorney after a decree of suspension or disbarment should be permitted to do those things which a layman may do is unsound. The layman, while acting within his rights, acts as a layman and not as an attorney. There is no misrepresentation. While in the cases involving suspended or disbarred attorneys who are found guilty of contempt there is a misrepresentation, an acting not as a layman but as an attorney. *State* v. *Richardson* (1910) 125 La. 644, 51 So. 673; *In re Lizotte* (1911) 32 R. I. 386, 79 Atl. 960. Where the layman attempts to act in the capacity of an attorney the courts likewise find him guilty of contempt. *In re Bailey* (1915) 50 Mont. 365, 146 Pac. 1101; *People* v. *Erbaugh, supra.* The decisions do not go to the extent of holding that a suspended attorney is guilty of contempt for doing as a layman what the latter is entitled in law to do. The decision in the principal case is supported not only by authority, *In re Duncan, supra*; *State* v. *Richardson, supra*; *In re Lizotte, supra,* but is in accord with reason and sound policy.